

Message Text

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12

ACTION EA-10

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-03 H-01 INR-05 L-02

NSAE-00 NSC-05 PA-01 RSC-01 PRS-01 SP-02 SS-15

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FM AMEMBASSY MANILA

TO SECSTATE WASHDC 9137

C O N F I D E N T I A L MANILA 14722

E O 11652: GDS

TAGS: PINT, RP

SUBJ: OSMENA/LOPEZ

REF: A) MANILA 14705; B) MANILA 14054

1. TANADA TOLD POLITICAL COUNSELOR THAT CONDITIONS IMPOSED BY OSMENA/LOPEZ AS SET OUT REF A ARE INTENDED TO (A) INDICATE THAT THEY ARE NOT AFRAID TO STAND TRIAL; (B) REASSERT THAT THEIR FAST WAS INITIATED FOR THE BENEFIT OF ALL POLITICAL DETAINEES. IF GOP DOES NOT ACCEDE TO CONDITIONS, TANADA SAID, OSMENA/LOPEZ WILL NOT DEFEND THEMSELVES. THEY WILL ADOPT STANCE OF AQUINO WHEN FACING TRIAL BY MILITARY TRIBUNAL.

2. PRESS STATEMENT CONTAINING CONDITIONS WAS EXPRESSIVE OF BELIEF OF DIOKNO AND WIVES THAT PRESIDENT WOULD STILL ADHERE TO ASSURANCES WHICH TANADA CONTINUES ASSERT WERE CONVEYED BY ENRILE INCLUDING NO TRIAL. ALTHOUGH TANADA CONTENDED THAT PRESIDENT HAD BROKEN HIS PROMIS IN DECEMBER 11 SPEECH, DIOKNO ARGUED THAT PRESIDENT SIMPLY SAVING FACE AND THAT ALL CONDITIONS THEY HAD IMPOSED ON ENRILE WERE STILL BEING MET INCLUDING RELEASE OTHER DETAINEES EXCEPT FOR PRESIDENT'S DISTORTION OF REASONS FOR END OF FAST.

3. TANADA PROVIDED US COPY OF ENRILE LETTER TO EUGENIO LOPEZ JR. CONSTITUTING PART OF COMMITMENT NOTED REF B. LETTER
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STIPULATES (A) TRANSFER TO HOSPITAL; (B) VISITATION AT HOSPITAL;

(C) RIGHT TO PASSES; (D) HOUSE ARREST FOLLOWED BY TEMPORARY RELEASE FROM DETENTION. LETTER DOES NOT CONTAIN COMMITMENT AGAINST TRIAL; ACCORDING TANADA THIS WAS IMPLICIT IN WHOLE COURSE OF NEGOTIATIONS AT MALACANANG AND BONIFACIO AND EXPLICIT WHEN IN RESPONSE TO TANADA QUESTION, ENRILE SAID "WE HAVE NO INTEREST IN TRYING YOUR PEOPLE BUT I CANNOT GIVE YOU A WRITTEN COMMITMENT." LETTER WILL BE POUCHED.

4. COMMENT: ON BASIS OF OUR UNDERSTANDING OF COURSE OF NEGOTIATIONS, NATURE OF ENRILE LETTER WHICH IMPLIES THAT OSMENA/LOPEZ WOULD BE HANDLED ADMINISTRATIVELY (I.E. WITHOUT TRIAL) AND COMMENTS OF SOME OF PRESIDENT'S ADVISERS, WE THINK PRESIDENT WAS INITIALLY DISPOSED TO RELEASE OSMENA/LOPEZ WITHOUT TRIAL ABSENCE OF WRITTEN COMMITMENT TO THIS EFFECT HARDLY SURPRISING UNDER ANY CIRCUMSTANCES. SUBSEQUENT OBJECTIONS BY GENERAL VER, ABAD SANTOS, MELCHOR AND ENRILE CONCERNING DANGEROUS PRECEDENT TURNED PRESIDENT AROUND. COURSE NOW POINTS IN DIRECTION OF TRIAL, WHICH GENERAL VER HAS TOLD CHARGE WILL ALSO INCLUDE LEHMAN AS CO-CONSPIRITOR.

5. DEGREE TO WHICH OSMENA/LOPEZ WILL ADHERE TO THEIR OWN PROCLAIMED COURSE IS UNPREDICTABLE. WE UNDERSTAND DIOKNO AT ISSUE WITH MARCOS-- IS DETERMINED KEEP FOCUS ON BROADER QUESTION OF ALL POLITICAL DETAINEES, WHEREAS TWO INDIVIDUALS INVOLVED ARE UNDERSTANDABLY CONCERNED ABOUT THEIR OWN SKIN AND HAVE OCCASIONALLY HAD TO BE BRACED BY DIOKNO.
ARNOLD

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